

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action No. 07-14 SLR
	)	
RAFAEL SANTIAGO,	)	
	)	
Defendant.	)	

**MOTION TO DISMISS**

The United States, by and through Colm F. Connolly, United States Attorney for the District of Delaware, and Douglas E. McCann, Assistant United States Attorney for the District of Delaware, hereby moves to dismiss Count II of the Indictment (D.I. 8).

Respectfully submitted,

COLM F. CONNOLLY  
United States Attorney

By: /s/ Douglas E. McCann  
Douglas E. McCann  
Assistant United States Attorney  
1007 Orange Street, Suite 700  
P.O. Box 2046  
Wilmington, Delaware 19899-2046  
(302) 573-6277

DATED: September 27, 2007

IT IS SO ORDERED this \_\_\_\_ day of September, 2007

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HONORABLE SUE L. ROBINSON  
UNITED STATES DISTRICT JUDGE